

PROFESSIONAL ENGINEERS SECTION MEETING

MINUTES

The Professional Engineers Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on May 11, 2010, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Nico De León
Stanley C. Harris
Wiley V. Johnson, III

Staff present for all or part of the meeting were:

Gordon N. Dixon, Director
Mark N. Courtney, Deputy Director of Licensing and Regulation
Kathleen (Kate) R. Nosbisch, Executive Director
Marian Brooks, Board Administrator
Justin Garofalo, Board Administrator
Amy Goobic, Administrative Assistant

No representative was present from the Office of the Attorney General.

Mr. Harris, Chair, called the meeting to order at 9:10 a.m.

Call to Order

Mr. Harris advised the Section of the emergency evacuation procedures.

Emergency Evacuation Procedures

Mr. Johnson moved to approve the agenda. Mr. De León seconded the motion which was unanimously approved by members: De León, Harris and Johnson.

Approval of Agenda

Ms. Nosbisch introduced Gordon Dixon, the new Director of DPOR. Mr. Dixon gave a brief biography, Section members and staff introduced themselves.

Introduction of New DPOR Director

There were no comments made to the Section.

Public Comment Period

Mr. Zoto was present to address the Section. Mr. Zoto thanked the Section for the opportunity to speak to them regarding his application to sit for the PE exam. Mr. Zoto gave a brief synopsis of his background and the occurrences that led to his request for an Informal Fact-Finding Conference. Regarding **File Number 2010-03775, Arian Zoto**, the Section members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits and the summary and recommendation of the presiding Board member. Mr. De León moved

File Number 2010- 03775, Arian Zoto

to recommend the Board accept the recommendation of the presiding Board member and approve Mr. Zoto to sit for the PE examination under 18VAC10-20-210.3. Mr. Johnson seconded the motion which was unanimously approved by members: De León and Johnson.

As the reviewing Board member, Mr. Harris was not present during the discussion or vote.

Regarding **File Number 2010-01680, George E. Young III**, Mr. De León and Mr. Harris reviewed the Consent Order as seen and agreed to by Mr. Young. The Section concurred with the recommendation of the presiding Board member. Mr. De León moved to recommend the Board accept the Consent Order which cites the following violation of the Board's regulations: 18VAC10-20-740.D (Count 1). For this violation, Mr. Young agrees to the following monetary penalty: \$350.00 for the violation contained in Count 1 and Board costs in the amount of \$150.00, for a total of \$500.00.

File Number 2010-01680, George E. Young III

As the presiding Board member, Mr. Johnson was not present during the presentation or discussion.

Mr. Allen Knapp, Virginia Department of Health Director of Onsite Sewage & Water Services, was present to address the Section regarding the emergency regulations for onsite sewage systems and potential engineering issues. Mr. Knapp reviewed the new regulations and explained how they might affect engineering regulations. He explained that VDH wants to insure that onsite sewage system plans are properly sealed by a PE if they are not under the exemption.

Emergency Regulations for Onsite Sewage Systems

Mr. Knapp explained that VDH will review plans and will contact the designer to ensure the plans are under the exemption if they are not sealed. VDH will notify DPOR if it suspects that the plans may be the practice of engineering. Mr. Knapp suggested a 'memorandum agreement' between the agencies.

Mr. De León nominated Mr. Johnson to serve as Section Chair. Mr. Harris seconded the motion which was unanimously approved by members: De León, Harris & Johnson.

Election of Section Chair

Section members were presented with tentative meeting dates for 2011. The Section members did not have any conflicts with the dates as presented.

Consideration of 2011 Meeting Dates

The Section was provided with the DPOR response to VDOT regarding their signing/sealing implementation discussed at the March 23, 2010, APELSCIDLA Board meeting. At that meeting, representatives from VDOT asked the Board to review their list of documents that require a PE

Discussion of VDOT Signing/Sealing Implementation

seal. Ms. Nosbisch presented the recommendations from the Landscape Architect Section regarding the VDOT list. The PE Section agreed with VDOT's requirements on a majority of the items, and agreed with the LA Section on their recommended change under "Scheduling and Contracts," to 'Licensed Professional consistent with original scope of work' instead of solely a PE. Ms. Nosbisch informed the Section that she would present their recommendations to the full board for discussion at the June 17, 2010, meeting.

The Section recessed from 10:37 a.m. until 10:54 a.m.

Recess

Discussion was held on comity applicants that have graduated from an ABET accredited engineering program in a foreign country and passed the NCEES FE and/or PE exam in a foreign country. Mr. Courtney suggested that, as the Department doesn't have comity with other countries, the applicants be treated as exam applicants and not comity applicants. The Section agreed by consensus with Mr. Courtney's suggestion.

Comity Applications

The Section members discussed "related science" degrees specifically *construction management* and *building construction* degree programs. By consensus, the Section members agreed that these degree programs have been, and will continue to be, evaluated on a case-by-case basis to determine if they contain adequate science and math coursework to qualify as a "related science" degree program.

"Related Science" Degrees

The Section agreed the topic should be discussed during regulatory review.

Mr. Johnson gave a brief report of the NCEES NE/SE Zone meeting attended by himself and Ms. Nosbisch.

NCEES Update

Ms. Nosbisch informed the Section that she has been asked to chair the site selection committee for the 2014 NCEES NE Zone meeting. Additionally, she has submitted an RFP to the Convention & Visitors Bureaus of Alexandria and Norfolk for the 2015 Annual meeting. Ms. Nosbisch will also send the RFP to the city of Richmond.

Ms. Nosbisch informed the Section that they would need to vote on a funded delegate for the NCEES Annual Meeting. Mr. Johnson moved to nominate Ms. Nosbisch as the funded delegate. Mr. De León seconded the motion which was unanimously approved by members: De León, Harris and Johnson.

The Section was also provided with various announcements and memorandums from NCEES.

The Section recessed from 11:25 a.m. until 11:40 a.m.

Recess

The Section members were provided draft copies of the Professional

Regulatory Review

Engineers section of the regulations with recommended changes discussed at the March 10, 2010 meeting. The Section reviewed the licensing section and discussed further revisions and/or clarifications, including “related science” degrees, math requirements and acceptance of citizenship in lieu of TOEFL.

The Section members recessed from 10:50 a.m. until 11:10 a.m.

Recess

Section members also reviewed and discussed the draft regulations of the April 12, 2010, meeting of the Regulatory Review Committee, as well as recommendations made at the LA Section and CID Section meetings. Mr. Johnson, chair of the Regulatory Review Committee, will present the section recommendations at the next Committee meeting.

Regulatory Review

There was no other business.

Other Business

Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 2:00 p.m.

Adjourn

Stanley C. Harris, Chair

Gordon N. Dixon, Secretary